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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

SING, SIMON P

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 07/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/314,966

Applicant(s)

ALI ET AL.

Examiner

Simon Sing

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 18-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 18-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-7, 9-15 and 18-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Friedman et al. US 4,122,306.

1.1 Regarding claim 1, Friedman discloses a telephone answering apparatus in figure 1 (column 5, lines 20-54). The apparatus comprises:

a line interface 28;

a dialing decoder (controller) 48 for determining which track of a 8-track for playing an outgoing message and recording an incoming message;

an 8-track tape player/recorder 32 and a cassette recorder 38 (voice message memory) adapted to store voice messages; and

a secured message authorization module (dialing decoder 48) adapted to allow a caller to leave a voice message, together with a security code corresponding pre-authorized caller, to secure a voice message in his assigned track of the 8-track tape (column 6, lines 60-68; column 7, lines 1-26, 4-68; column 8, lines 1-20).

Art Unit: 2645

1.2 Regarding claim 2, Friedman teaches an 8-track tape recorder for recording a voice message from a caller (column 7, line 64 to column 8, line 20).

1.3 Regarding claim 3, Friedman teaches a security code table for comparing a security code entered (column 18, lines 53-68; column 19, lines 22-33).

1.4 Regarding claims 4-5, Friedman teaches that the security code table includes security codes (call related information) (column 19, lines 22-33).

1.5 Regarding claim 6, Friedman teaches assigning security codes to callers corresponding to each track of the 8-track tape (column 6, line 58 to column 7, line 2).

1.6 Regarding claims 7 and 10, Friedman teaches a dialing decoder 48 for matching the security code (call related information) (column 7, lines 13-18; column 19, lines 22-33).

1.7 Regarding claim 9, Friedman teaches a dialing decoder 48 for detecting, receiving and decoding the security code (call related information) (column 18, lines 53-68; column 19, lines 22-33).

1.8 Regarding claim 11, Friedman discloses a method for securing a voice message in an 8-track tape player/recorder 32 (single mailbox) in a telephone answering apparatus, comprising steps of:

prompting a caller to leave a voice message and a authorized security code corresponding to said caller (column 6, lines 58-68; column 7, lines 1-8);

comparing said security code to a pre-stored security code (column 7, lines 8-18; column 19, lines 22-33);

upon matching said security code, securing said voice message for access by the owner of said telephone answering apparatus authorized to playback (column 8, lines 10-20).

1.9 Regarding claims 12-14, Friedman teaches recording said voice message at a pre-assigned track of the 8-track tape player/recorder 32 (column 8, lines 10-20).

1.10 Regarding claim 15, Friedman teaches entering said security code from a telephone key by the caller (column 7, lines 3-8).

1.11 Regarding claim 18, Friedman discloses a telephone answering apparatus for securing a voice message in an 8-track tape player/recorder 32 (single mailbox), comprising:

an outgoing message for prompting a caller to leave a voice message and a authorized security code corresponding to said caller (column 6, lines 58-68; column 7, lines 1-8);

a dialing decoders 48 for comparing said security code to a pre-stored security code (column 7, lines 8-18; column 19, lines 22-33);

an 8-track tape player/recorder 32 for securing said voice message for access by the owner of said telephone answering apparatus authorized to playback upon matching said security code, (column 8, lines 10-20).

1.12 Regarding claim 19-21, Friedman teaches securing (recording) said voice message at a pre-assign track of the 8-track tape player/recorder 32 (column 8, lines 10-20).

1.13 Regarding claim 22, Friedman teaches entering said security code from a telephone key by the caller (column 7, lines 3-8).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-7, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nabkel US 5,963,626.

2.1 Regarding claim 1, Nabkel discloses a voice messaging system (telephone answering device), which is located in a central office (public switch network end office switch) (column 4, lines 55-60). Nabkel teaches:

a telephone line interface for accepting telephone calls from callers (column 2, lines 28-32);

a controller for comparing subscriber (caller) IDs and PINs (column 2, lines 30-37; column 4, lines 27-33);

a secured message authorization module (software) adapted to allow a party (subscriber) calling said voice messaging system to leave a private voice message, and a security code corresponding to caller such as Julieann (column 3, lines 16-21). Nabkel teaches securing said private voice message in a mailbox with a personal PIN (security code) corresponding to Julieann (column 2, lines 58-65; column 3, lines 53-58), and said private voice message is accessible only by Julieann with the assigned PIN (column 6, lines 1-23; column 4, lines 37-47).

Nabkel fails to teach that a caller is also a subscriber who is authorized to secure a voice message.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Nabkel's system, such that a caller would also

have been a subscriber of the voice messaging system, because such modification would have enabled subscribers to leave voice messages for each other (Note: call subscriber are callers since everyone has to call the voice messaging system to leave or retrieve a voice message).

2.2 Regarding claim 2, Nabkel's system further comprising:

a playback/recording module adapted to record said private voice message (column 3, lines 16-26) or playback said private voice message to a calling party (Julieann, a subscriber) (column 4, lines 41-47).

2.3 Regarding claim 3, Nabkel' system according claim 1, further comprising:

an authorized security code table including information relating to an ability of a party (subscriber) calling said voice messaging system to separately secure said private voice message (column 2, lines 28-32, 58-65; column 3, lines 53-58).

2.4 Regarding claim 4, Nabkel's system according to claim 3, wherein:

said authorized security code table further includes at least one security code (personal PIN) allowing at least one calling party (Julieann, a subscribr) for access to said separately secured private voice message (column 2, lines 58-65; column 3, lines 53-58; column 4, lines 37-47).

2.5 Regarding claim 5, Nabkel's system according to claim 3, wherein:

said authorized security code table is adapted to includes call related information (PIN) relating to at least one calling party (subscriber)] authorized to secure a voice message (column 2, lines 28-32, 58-65).

2.6 Regarding claim 6, Nabkel's system according claim 1, wherein:

as discussed in claim 1, the personal PIN, entered by a party (subscriber) calling said voice messaging system, is corresponding to Julieann, who is one of a plurality of subscribers of said voice messaging system (column 2, lines 25-33).

2.7 Regarding claim 7, Nabkel's system according claim 1, wherein:

said secured message authorized module is adapted to allow a party (subscriber) calling the voice messaging system to secure a voice message upon matching call related information (PIN) relating to the party with a pre-stored PIN (column 2, lines 28-32).

2.8 Regarding claim 9, Nabkel's system according claim 1, further comprising:

a call related information detector/receiver adapted to detect and receive call related information (PIN) regarding a party (subscriber) calling said voice messaging system (column 2, lines 28-32; column 6, lines 10-23).

2.9 Regarding claim 10, Nabkel's system according claim 1, wherein:

said controller is adapted to compare call related information received regarding a party (subscriber) calling the voice messaging system, with at least one pre-stored

authorized security code to allow said party to separately secure a voice message (column 2, lines 28-32, 58-65; column 3, lines 53-58).

3. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nabkel US 5,963,626 in view of Carleton et al. US 5,966,351.

Nabkel teaches a voice messaging system in that a party (subscriber) leaves a private voice message in a single mailbox, and secures said private voice message with a personal PIN associated with another user (message recipient). Nabkel fails to specifically teach that said personal PIN is attached to private voice message's header.

However, Carleton discloses a voicemail system in that a voice message's header comprises sender's telephone number (extension), data and time, status and any special handling code. When a sender accesses a recipient's mailbox, sender's telephone number is compared to the telephone number stored in the header, and the sender is only allowed to access messages with same telephone number (column 4, lines 40-56).

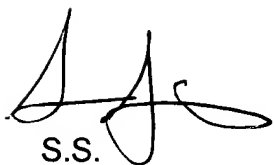
Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Nabkel's reference with the teaching of Carleton so that said personal PIN would have been attached to the header of said private voice message, because such modification would have clarified the teaching of Nabkel to where said personal PIN was stored with said private voice message.

Response to Arguments

4. Applicant's arguments with respect to claims 1-15 and 18-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is (703) 305-3221. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.



S.S.

06/25/2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

